IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO. 1059 of 2004

AND

WRIT PETITION No. 25922 of 2003

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WRIT APPEAL No.1059 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 25.6.2004 in W.V.M.P.No.1402 of 2004 in W.P.M.P.No.32749 of 2003 in W.P.No.25922 of 2003 on the file of the High Court.)

Between:

Scheduled Tribe Employees Welfare & Cultural Association, BHEL,
Ramachandrapuram, Hyderabad - 502 032, Rep by General Secretary.

..... APPELLANT

AND

1 The Executive Director, Bharat Heavy Electrical Limited,
Ramachandrapuram, Hyderabad - 502 032.
2 The Chairman & Managing Director,BHEL House,Sirifort,New Delhi-110049.
3 The Secretary, Department of Personnel & Training (DOPT) Ministry of

Personnel & Public Grievances & Pensions, Government of India, North

Block, New Delhi.
4 The Secretary, Ministry of Heavy Industries & Public Enterprises,

Government of India,Udyog Bhavan, New Delhi - 110 001.

.....RESPONDENT(S)

Counsel for the Appellant:MR.V.RAJA MANOHAR, Advocate.

Counsel for the respondents No.1 & 2 : Mr.S.V.Bhatt.

Counsel for the Respondents No.3 & 4: MR.A.RAJASHEKAR REDDY (SC FOR CG)

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WRIT PETITION No.25922 of 2003

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Between:

Scheduled Tribe Employees Welfare & Cultural Association, BHEL, Ramachandrapuram, Hyderabad, rep by its General Secretary

..... PETITIONER

AND

1 The Executive Director BHEL., Ramachandrapuram, Hyderabad
2 The Chairman & Manging Director, BHEL House, Sirifort New Delhi-110049
3 The Secretary, Department of Personnel & Training (Dopt) Ministry of

Personnel & Public Grievances & Pensions, Government of India, North

Block New Delhi
4 The Secretary, Ministry of Heavy Industries & Public Enterprises, Government of India, Udyog Bhavan, New Delhi110 001

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction, more particularly one in the nature Writ of Mandamus declaring the action of respondents No. 1 &2 to recruit 80 posts of Artisans, 10 post of Supervisors, 3 posts of Doctors, 2 posts of Paramedical Staff and one post of Physiotherapist from dependents of deceased employees and from the list that would be sponsored by the Employment Exchange in pursuance of Office order No.

HR/RMX/ART/200 Dt 23-10-2003 is illegal, arbitrary, unconstitutional and consequently direct the Respondents 1 &2 to fill up the 130 backlog vacancies in Grade-C and other categories by way of issuing Special Notification for Schedule Tribe Candidates.

Counsel for the Petitioner:MR.J.SATYA PRASAD, Advocate.

Counsel for the Respondent No.: MR.A.RAJASHEKAR REDDY (SC FOR CG)

The Court made the following :

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COMMON JUDGMENT : (Per BN, J)

Heard learned Counsel for the parties.

It is submitted that this matter is covered by the common judgment rendered in Writ Appeal No.1060 of 2004 and Writ Petition No.3096 of 2004. Following the same judgment, we direct that the directions given in that judgment shall also govern the present Writ Appeal and Writ Petition.

This Writ Appeal and Writ Petition are accordingly disposed of. No costs.

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(BILAL NAZKI, J)

26th July, 2004.

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(S.ANANDA REDDY, J)

ajr.

N.B.:-

Office shall place the copies of this order in respective

Bundles after the signatures of their Lordships.

To

1 The Secretary, Department of Personnel & Training (DOPT) Ministry of Personnel & Public Grievances & Pensions, Government of India, North Block, New Delhi, along with the copy of judgment in W.A.No.1060/2004 & W.P.No.3096/2004, disposed of on 26.07.2004.

2 The Secretary, Ministry of Heavy Industries & Public Enterprises, Government of India,Udyog Bhavan, New Delhi - 110 001.

3 Two C.D. copies.